

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**David Fetsko**  
**Miranda Fetsko**  
Debtor(s)

Bankruptcy Case No.: 19-24472-CMB  
Per July 30, 2020 proceeding  
Chapter: 13  
Docket No.: 60 – 50, 51  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 6/3/2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2757.00 as of 8/2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

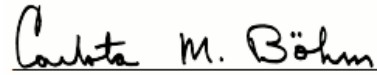
**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: August 3, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 David Fetsko  
 Miranda Fetsko  
 Debtors

Case No. 19-24472-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dsaw  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 41

Date Rcvd: Aug 03, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 05, 2020.

db/jdb  
 cr +David Fetsko, Miranda Fetsko, 1 Smith Street, Charleroi, PA 15022-3110  
 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,  
 Pittsburgh, PA 15233-1828  
 cr +USAA Federal Savings Bank, c/o Weinstein & Riley, P.S., 11101 West 120th Ave, Suite 280,  
 Broomfield, CO 80021-2756  
 15158763 +Commonwealth Financial, 245 Main Street, Scranton, PA 18519-1641  
 15158765 Dept Of Defense, Dfas-de/fydc, Denver, CO 80279  
 15158767 +KML, 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541  
 15159648 +Orion, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15177544 Pendrick Capital Partners II, LLC, Peritus Portfolio Services II, LLC, PO BOX 141419,  
 IRVING, TX 75014-1419  
 15177543 Pendrick Capital Partners, LLC, Peritus Portfolio Services II, LLC, PO BOX 141419,  
 IRVING, TX 75014-1419  
 15175607 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,  
 Pgh., PA 15233-1828  
 15174651 +Pinnacle Credit Servic, 7900 Highway 7 # 100, Saint Louis Park, MN 55426-4045  
 15158769 +Professional Adjmnt Co, 14410 Metropolis Ave, Fort Myers, FL 33912-4341  
 15158770 +Rui Credit Services In, 1305 Walt Whitman Rd Ste, Melville, NY 11747-4849  
 15158772 +The United Federal Cr, 3600 University Ave, Morgantown, WV 26505-3087  
 15188207 +The United Federal Credit Union, 3 Sunset Beach Rd, Morgantown, WV 26508-4431  
 15184770 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123  
 15184695 +USAA Federal Savings Bank, c/o Nationstar Mortgage LLC, P.O. Box 619096,  
 Dallas, TX 75261-9096  
 15158773 +Us Dept Of Ed/glelsi, 2401 International Lane, Madison, WI 53704-3121  
 15158774 +Usaa Fed Svng/nationst, 350 Highland, Houston, TX 77009-6623  
 15174659 Usaa Federal Savings, Pob 47504, San Antonio, TX 78265  
 15158775 Usaa Federal Savings B, Pob 47504, San Antonio, TX 78265

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 04 2020 04:31:48  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15174641 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Aug 04 2020 04:31:51 American Info Source Lp,  
 Post Office Box 248848, Oklahoma City, OK 73124-8848  
 15180033 +E-mail/Text: documentfiling@lciinc.com Aug 04 2020 04:30:26 COMCAST, PO BOX 1931,  
 Burlingame, CA 94011-1931  
 15158761 +E-mail/Text: bnc-capio@quantum3group.com Aug 04 2020 04:30:54 Capio Partners Llc,  
 2222 Texoma Pkwy, Sherman, TX 75090-2481  
 15169414 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 04 2020 04:31:47  
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,  
 Charlotte, NC 28272-1083  
 15158762 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 04 2020 04:32:16  
 Capital One Bank Usa N, Po Box 30281, Salt Lake City, UT 84130-0281  
 15174644 +E-mail/Text: documentfiling@lciinc.com Aug 04 2020 04:30:22 Comcast, Po Box 3001,  
 Southeastern, PA 19398-3001  
 15158764 +E-mail/Text: scollins@cs-llc.com Aug 04 2020 04:30:42 Credit Soltn,  
 2277 Thunderstick Drive, Lexington, KY 40505-9002  
 15158766 +E-mail/Text: bknotice@ercbpo.com Aug 04 2020 04:31:04 Enhanced Recovery Co L,  
 Po Box 57547, Jacksonville, FL 32241-7547  
 15158768 E-mail/Text: info@phoenixfinancialsvcs.com Aug 04 2020 04:30:24 Phoenix Financial Serv,  
 8902 Otis Ave, Indianapolis, IN 46216  
 15162790 E-mail/PDF: resurgentbknotifications@resurgent.com Aug 04 2020 04:32:22  
 Pinnacle Credit Services, LLC, Resurgent Capital Services, PO Box 10587,  
 Greenville, SC 29603-0587  
 15181874 E-mail/Text: bnc-quantum@quantum3group.com Aug 04 2020 04:30:40  
 Quantum3 Group LLC as agent for, CF Medical LLC, PO Box 788, Kirkland, WA 98083-0788  
 15189001 E-mail/Text: appebnmailbox@sprint.com Aug 04 2020 04:30:55 Sprint Corp., Attn: Bankruptcy,  
 PO Box 7949, Overland Park, KS 66207-0949  
 15158771 +E-mail/PDF: gecsedirecoverycorp.com Aug 04 2020 04:31:44 Synch/amer Eagle, Po Box 965005,  
 Orlando, FL 32896-5005  
 15168322 +E-mail/Text: bankruptcy@huntington.com Aug 04 2020 04:30:57 The Huntington National Bank,  
 PO Box 89424, Cleveland, OH 44101-6424  
 15174655 +E-mail/Text: bankruptcy@huntington.com Aug 04 2020 04:30:57 The Huntington National Bank,  
 7450 Huntington Park Drive, Columbus, OH 43235-5617  
 15185538 +E-mail/Text: bncmail@w-legal.com Aug 04 2020 04:31:05 USAA Federal Savings Bank,  
 C/O: Weinstein & Riley, P.S., 2001 Western Avenue, Ste 400, Seattle, WA 98121-3132  
 15183586 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Aug 04 2020 04:32:22 Verizon,  
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457  
 15174660 E-mail/Text: bankruptcy@firstenergycorp.com Aug 04 2020 04:31:02 West Penn Power,  
 P.O. Box 3687, Akron, OH 44309-3687  
 15170465 +E-mail/Text: bankruptcy@firstenergycorp.com Aug 04 2020 04:31:02 West Penn Power,  
 5001 NASA Blvd, Fairmont WV 26554-8248

TOTAL: 20

District/off: 0315-2

User: dsaw  
Form ID: 149

Page 2 of 2  
Total Noticed: 41

Date Rcvd: Aug 03, 2020

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr  
15174642\*      USAA Federal Savings Bank  
15174643\*      +Capio Partners Llc,   2222 Texoma Pkwy,   Sherman, TX 75090-2481  
15174645\*      +Capital One Bank Usa N,   Po Box 30281,   Salt Lake City, UT 84130-0281  
15174646\*      +Commonwealth Financial,   245 Main Street,   Scranton, PA 18519-1641  
15174647\*      +Credit Soltn,   2277 Thunderstick Drive,   Lexington, KY 40505-9002  
15174648\*      Dept Of Defense,   Dfas-de/fydc,   Denver, CO 80279  
15174649\*      +Enhanced Recovery Co L,   Po Box 57547,   Jacksonville, FL 32241-7547  
15174650\*      +KML,   701 Market Street, Suite 5000,   Philadelphia, PA 19106-1541  
15174651\*      ++PHOENIX FINANCIAL SERVICES LLC,   PO BOX 361450,   INDIANAPOLIS IN 46236-1450  
15174652\*      (address filed with court:   Phoenix Financial Serv,   8902 Otis Ave,   Indianapolis, IN 46216)  
15174653\*      +Professional Adjmnt Co,   14410 Metropolis Ave,   Fort Myers, FL 33912-4341  
15174654\*      +Rui Credit Services In,   1305 Walt Whitman Rd Ste,   Melville, NY 11747-4849  
15174655\*      +Synch/amer Eagle,   Po Box 965005,   Orlando, FL 32896-5005  
15174656\*      +The United Federal Cr,   3600 University Ave,   Morgantown, WV 26505-3087  
15174657\*      +Us Dept Of Ed/glelsi,   2401 International Lane,   Madison, WI 53704-3121  
15174658\*      +Usaa Fed Svng/nationst,   350 Highland,   Houston, TX 77009-6623  
  
TOTALS: 1, \* 14, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 05, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 3, 2020 at the address(es) listed below:

James Warmbrodt   on behalf of Creditor   USAA Federal Savings Bank   bkgroup@kmlawgroup.com  
Office of the United States Trustee   ustpregion03.pi.ecf@usdoj.gov  
Paul W. McElrath, Jr.   on behalf of Joint Debtor Miranda   Fetsko   ecf@mcelrathlaw.com,  
donotemail.ecfbackuponly@gmail.com  
Paul W. McElrath, Jr.   on behalf of Debtor David   Fetsko   ecf@mcelrathlaw.com,  
donotemail.ecfbackuponly@gmail.com  
Ronda J. Winnecour   cmecf@chapter13trusteedpa.com  
S. James Wallace   on behalf of Creditor   Peoples Natural Gas Company LLC   sjw@sjwpggh.com,  
srk@sjwpggh.com; PNGbankruptcy@peoples-gas.com

TOTAL: 6